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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,622	02/11/2004	Leonid A. Yegoshin	P3352C1	4616

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CENTRAL COAST PATENT AGENCY
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EXAMINER

TSEGAYE, SABA

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/777,622	Applicant(s) YEGOSHIN, LEONID A.	
	Examiner Saba Tsegaye	Art Unit 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-18 is/are allowed.
- 6) ☒ Claim(s) 19-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed on 10/28/05. Claims 6-26 are pending. Claims 6-18 are allowed. Claims 19-26 are rejected.

Claim Rejections - 35 USC § 102

2. Claims 19, 21, 23 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Sainton et al. (6,134,453).

Regarding claims 19 and 23, Sainton et al. discloses, in Fig 7, a mobile communication device comprising:

Software enabling user selection of a network for communication (The microprocessor 110 in the Omni-modal circuit card 701 allows the circuitry to select either landline transmission via RJ-11 jack 712), and enabling implementation of transmission and receipt of data in a format compatible with the selected network (column 5, lines 40-50); and

Plural physical interfaces for connecting to individual ones of the selectable networks (column 5, lines 5-12; column 15, lines 44-47).

Regarding claims 21 and 25, Sainton discloses the device wherein the physical interfaces comprises two or more of a wireless interface to a cellular system, a connection interface to a local area network, and a receptacle for a Connection-Oriented Switched Telephony telephone line (column 5, lines 13-29; column 15, lines 7-50; column 16, lines 46-54).

Claim Rejections - 35 USC § 103

3. Claims 20, 22, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sainton in view of McCann et al. (US 6,052,725).

Sainton discloses all the claim limitations as stated above except IP network and to assign a temporary IP address to the device for IP communication.

McCann discloses, in Fig. 1, a communication device 16, a LAN 20 (claimed a wireless IP-LAN), a local protocol server (claimed an IP telephony server), and a local router 22. A dynamic IP address is assigned to the communication device 16 to enable communication between the communication device 16 and an IP network. The mobile device 16 is assigned a non-local dynamic IP address from a specific remote network. The local router 22 receives communications from the device 16 and from IP network 14 and determines the paths that communications should follow. See column 3, lines 44-65 and column 8, lines 5-32.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add an IP-network and to assign a temporary IP address to the device for IP communication to Sainton system., as taught by McCann et al. in order provide an efficient communication system and to access communication networks at the new temporary location and eliminating service request refusals.

Allowable Subject Matter

4. Claims 6-18 are allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 19-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2662

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST

January 6, 2006

A handwritten signature in black ink, appearing to read 'JPezlo', is positioned above the printed name.

JOHN PEZZLO
PRIMARY EXAMINER